

#### REMARKS AND ARGUMENTS

Applicant acknowledges with appreciation the Examiner's review of the claims. Applicant regrets any difficulties that may have been caused by time extensions.

Only claim issues are discussed in this Amendment B. The issues regarding Terminal Disclaimer and a Request for Reconsideration of Restrictions were addressed in the previous Amendment.

Claim 17 was objected to because there was lack of antecedent basis for the limitation "said upstanding-face" of the high and low ledgers. Claims 17-18 were rejected under 35 U.S.C. 102(e) as being anticipated by Mickelsen (4860502).

Applicant does not believe that gutters in fixed joist cavities, of Mickelsen, anticipate in any way the flexible grid structure of Claim 17 or Claim 18. However, Applicant has cancelled Claim 17 because it seems to have gotten too voluminous with no real benefit. Claim 18 has been cancelled. In new Claim 19, the adjacent vertical-face element of the support means, of cancelled Claim 18, are replaced with the adjacent upstanding face element of the support means. Said upstanding-face of the ledgers, or support means, was included in Claim 1, but excluded in Claims 17 and 18. Said benefit of the resulting tray configuration, where grid elements, particularly sloping members, or rafter-members, can be installed, adjusted and lifted out of position predominately by hand, without interference of fixed joist members, or problems associated with diverse joist configurations, ensures that Mickelsen and the other referenced prior art, which is also attached to and dependent on deck-joist configuration, do not anticipate the present invention.

In conclusion, Applicant submits that the amendments and arguments presented herein obviate and moot all objections and rejections of records, thereby rendering all remaining claims allowable. It is

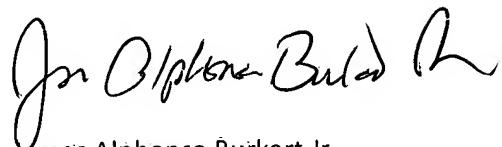
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Amdt. Dated January 16, 2009

Reply to Notice of Non-Compliant Amendment (37 CFR 1.121) July 16, 2008

therefore respectfully requested that the Examiner withdraw the rejections, allow the pending claims and pass the application to issue.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "James Alphonse Burkart Jr.", with a stylized flourish at the end.

James Alphonse Burkart Jr

Applicant

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